

Clerk of Court

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

RECEIVED

09 SEP -8 PM 3:17

PLEASE REPLY TO:
133 N. Shoreline Blvd., Ste. 208
Corpus Christi, Texas 78401
(361) 888-3142

September 3, 2009
DORIS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, JACKSON

CLERK
United States District Court
United States Courthouse
111 South Highland Avenue, Room 262
Jackson, TN 38301

RE: Criminal Case NO. 1:09-10090; Our Case No. C-09-820M
United States of America v. Shaun Patrick Sullivan

Dear Clerk:

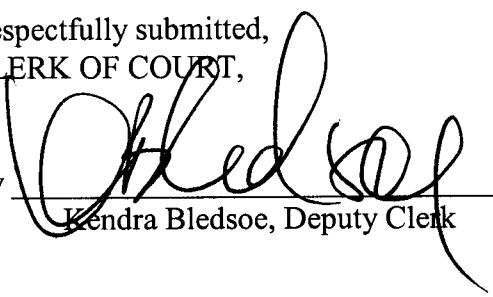
The above defendant was initialed in this district on **August 28, 2009** and an Order of Commitment to Another District was entered on **September 2, 2009**. The case file can be accessed through the Electronic Case Filing/Pacer System for the Southern District of Texas at: ecf.txsd.uscourts.gov.

Enclosed please find a copy of the waiver of rule 5 & 5.1 hearings, order of detention pending trial, commitment order and a certified copy of the docket sheet.

Please complete the receipt below and return the copy of this letter in the enclosed envelope.

Respectfully submitted,
CLERK OF COURT,

By


Kendra Bledsoe, Deputy Clerk

Encls.

cc: file

Received and filed under Docket No. _____ on _____, 2009.
Clerk, U.S. District Court, By: _____.

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

UNITED STATES OF AMERICA

United States District of Texas
Southern District of Texas
FILED

SEP 02 2009

WAIVER OF RULE 5 & 5.1 HEARINGS

(Complaint/Indictment)

V.

Clerk of Court

CASE NUMBER: CR C-09-820M

Shaun Patrick Sullivan

Defendant

CHARGING DISTRICTS
CASE NUMBER: 1:09CR10090

I understand that charges are pending in the Western District of Tennessee
alleging violation of Title 18 USC 2422(b) / Title 18 USC 2253 and that I have been arrested in this district and
(Title and Section)

taken before a judge, who has informed me of the charge(s) and my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) a preliminary hearing (unless an indictment has been returned or information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) Request transfer of the proceedings to this district under Rule 20, Fed. R. Crim. P., in order to plead guilty.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☒ identity hearing
- ☒ preliminary hearing
- ☐ identity hearing but request a preliminary hearing be held in the prosecuting district and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

September 2, 2009

Date

Defendant

Defense Counsel

UNITED STATES DISTRICT COURT

SOUTHERN

District of

TEXAS

UNITED STATES OF AMERICA

V.

Shaun Patrick Sullivan

Defendant

ORDER OF DETENTION PENDING TRIAL

Case

CR C-09-820M

In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

Part I—Findings of Fact

- ☐ (1) The defendant is charged with an offense described in 18 U.S.C. § 3142(f)(1) and has been convicted of a ☐ federal offense ☐ state or local offense that would have been a federal offense if a circumstance giving rise to federal jurisdiction had existed - that is
- ☐ a crime of violence as defined in 18 U.S.C. § 3156(a)(4).
- ☐ an offense for which the maximum sentence is life imprisonment or death.
- ☐ an offense for which a maximum term of imprisonment of ten years or more is prescribed in _____
- ☐ a felony that was committed after the defendant had been convicted of two or more prior federal offenses described in 18 U.S.C. § 3142(f)(1)(A)-(C), or comparable state or local offenses.

- ☐ (2) The offense described in finding (1) was committed while the defendant was on release pending trial for a federal, state or local offense.
- ☐ (3) A period of not more than five years has elapsed since the ☐ date of conviction ☐ release of the defendant from imprisonment for the offense described in finding (1).
- ☐ (4) Findings Nos. (1), (2) and (3) establish a rebuttable presumption that no condition or combination of conditions will reasonably assure the safety of (an) other person(s) and the community. I further find that the defendant has not rebutted this presumption.

Alternative Findings (A)

- ☐ (1) There is probable cause to believe that the defendant has committed an offense
- ☐ for which a maximum term of imprisonment of ten years or more is prescribed in _____
- ☐ under 18 U.S.C. § 924(c).
- ☐ (2) The defendant has not rebutted the presumption established by finding 1 that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

Alternative Findings (B)

- ☐ (1) There is a serious risk that the defendant will not appear.
- ☐ (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

Part II—Written Statement of Reasons for Detention

I find that the credible testimony and information submitted at the hearing establishes by ☐ clear and convincing evidence ☐ a preponderance of the evidence that

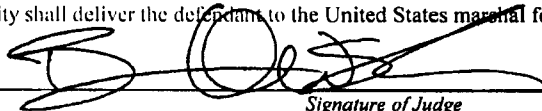
DETENTION HEARING WAIVED IN OPEN COURT.

Part III—Directions Regarding Detention

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

September 2, 2009

Date



Signature of Judge

BRIAN L. OWSLEY, U.S. MAGISTRATE JUDGE

Name and Title of Judge

*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. § 801 *et seq.*); (b) Controlled Substances Import and Export Act (21 U.S.C. § 951 *et seq.*); or (c) Section 1 of Act of Sept. 15, 1980 (21 U.S.C. § 955a).

UNITED STATES DISTRICT COURT

SOUTHERN

District of

TEXAS

UNITED STATES OF AMERICA
V.

COMMITMENT TO ANOTHER DISTRICT

SHAUN PATRICK SULLIVAN

DOCKET NUMBER

MAGISTRATE JUDGE CASE NUMBER

District of Arrest

District of Offense

District of Arrest

District of Offense

SDTX-Corpus Christi

WD/Tennessee

CR C-09-820M

1:09-10090

CHARGES AGAINST THE DEFENDANT ARE BASED UPON AN

☒ Indictment

☐ Information

☐ Complaint

☐ Other (specify)

charging a violation of

18

U.S.C. § 2422(b), et al

DISTRICT OF OFFENSE

Western District of Tennessee-Jackson, TN

DESCRIPTION OF CHARGES:

Using a means of interstate commerce to communicate with a minor and entice and coerce said minor into sexual acts.

CURRENT BOND STATUS:

☐ Bail fixed at

Government moved for detention and defendant detained after hearing in District of Arrest

☐ Government moved for detention and defendant detained pending detention hearing in District of Offense

☒ Other (specify) DETENTION HEARING WAIVED IN OPEN COURT.

Representation:

☐ Retained Own Counsel

☒ Federal Defender

☐ CJA Attorney

None

Interpreter

☒ No

Yes

Language:

SOUTHERN DISTRICT OF TEXAS

TO: THE UNITED STATES MARSHAL

You are hereby commanded to take custody of the above named defendant and to transport that defendant with a certified copy of this commitment forthwith to the district of offense as specified above and there deliver the defendant to the United States Marshal for that District or to some other officer authorized to receive the defendant.

September 2, 2009

Date

Judge

RETURN

This commitment was received and executed as follows:

DATE COMMITMENT ORDER RECEIVED

PLACE OF COMMITMENT

DATE DEFENDANT COMMITTED

DATE

UNITED STATES MARSHAL

(BY) DEPUTY MARSHAL

CLOSED

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Corpus Christi)
CRIMINAL DOCKET FOR CASE #: 2:09-mj-00820-1
Internal Use Only**

Case title: USA v. Sullivan

Date Filed: 08/28/2009

Date Terminated: 09/02/2009

Assigned to: Magistrate Judge Brian L
Owsley

Defendant (1)

Shaun Patrick Sullivan
TERMINATED: 09/02/2009

represented by **Francisco Morales**
Federal Public Defender
606 N Carancahua
Suite 401
Corpus Christi , Tx 78476
361-888-3532
Email: francisco_morales@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or
Community Defender Appointment*

Pending Counts

None

Disposition**Highest Offense Level (Opening)**

None

Terminated Counts

None

Disposition**Highest Offense Level (Terminated)**

None

Complaints

18:2422.F - Coercion or enticement of
female

Disposition

Plaintiff**USA**

represented by **Financial Litigation**
U S Attorney's Office
P O Box 61129
Houston , TX 77208
713-567-9000
Fax: 713-718-3391 fax
ATTORNEY TO BE NOTICED
Designation: Retained

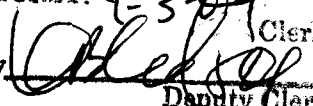
US Marshal - CC
1133 North Shoreline, Room 109
Corpus Christi , TX 78401
361-888-3154
Fax: 361-888-3174
ATTORNEY TO BE NOTICED
Designation: Retained

US Pretrial Svcs-CC
1133 N Shoreline Blvd
Rm 114
Corpus Christi , TX 78401
361-888-3411
Fax: 361-888-3419 fax
Email:
txsptdb_corduty@txspt.uscourts.gov
ATTORNEY TO BE NOTICED
Designation: Retained

US Probation - CC
1133 North Shoreline Blvd, Room 124
Corpus Christi , TX 78401
361-888-3518 fax
Fax: 361-888-3518 fax
Email:
TXSPdb_CorDuty@txsp.uscourts.gov
ATTORNEY TO BE NOTICED
Designation: Retained

Corpus Christi MagDuty
AUSA
Email:
MagCourtCorpus.USATXS@usdoj.gov
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
08/28/2009		Arrest (Rule 40) of Shaun Patrick Sullivan, filed. (vrios,) (Entered: 09/02/2009)
08/28/2009	<u>1</u>	INDICTMENT from the United States District Court for the Western District of Tennessee Eastern Division (1:09-cr-10090-JDB) as to Shaun Patrick Sullivan, filed.(vrios,) (Entered: 09/02/2009)
08/28/2009	<u>2</u>	Minute Entry for proceedings held before Magistrate Judge Brian L Owsley: INITIAL APPEARANCE IN RULE 5(c)(3) PROCEEDINGS as to Shaun Patrick Sullivan held on 8/28/2009; Detention and Identity Hearing set for 9/2/09 at 10:00 a.m. before Magistrate Judge Brian L Owsley. Appearances:Heather Winter.(Digital # 2:14:14-2:21:10)(ERO:Kendra Bledsoe) Deft remanded to custody, filed.(vrios,) (Entered: 09/02/2009)
08/28/2009	<u>3</u>	Sealed Financial Affidavit CJA 23 by Shaun Patrick Sullivan, filed. (Entered: 09/02/2009)
08/28/2009		Attorney update in case as to Shaun Patrick Sullivan. Attorney Francisco Morales for Shaun Patrick Sullivan added. (vrios,) (Entered: 09/02/2009)
08/28/2009	<u>4</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Francisco Morales for Shaun Patrick Sullivan.(Signed by Magistrate Judge Brian L Owsley) Parties notified. (vrios,) (Entered: 09/02/2009)
08/28/2009	<u>5</u>	ORDER OF TEMPORARY DETENTION AND HEARING as to Shaun Patrick Sullivan.(Signed by Magistrate Judge Brian L Owsley) Parties notified. (vrios,) (Entered: 09/02/2009)
09/02/2009	<u>6</u>	WAIVER of Rule 5 & 5.1 Hearings by Shaun Patrick Sullivan, filed. (srussell,) (Entered: 09/03/2009)
09/02/2009	<u>7</u>	ORDER OF DETENTION PENDING TRIAL as to Shaun Patrick Sullivan. (Signed by Magistrate Judge Brian L Owsley) Parties notified. (srussell,) (Entered: 09/03/2009)
09/02/2009	<u>8</u>	COMMITMENT TO ANOTHER DISTRICT as to Shaun Patrick Sullivan. Defendant committed to WD Tennessee, Jackson Division.(Signed by Magistrate Judge Brian L Owsley) Parties notified. 2 Certified copies to USM. (srussell,) (Entered: 09/03/2009)
09/02/2009		(Court only) ***Case Terminated as to Shaun Patrick Sullivan (kbledsoe,) (Entered: 09/03/2009)
09/02/2009		Minute Entry for proceedings held before Magistrate Judge Brian L Owsley: IDENTITY AND DETENTION HEARING as to Shaun Patrick Sullivan held on 9/2/2009 Appearances:AUSA-Patti Hubert Booth. Francisco Morales. (Digital # 9:51:00-9:54:05)(ERO:dperez) (Interpreter:zpease) Deft remanded to custody, filed.(kbledsoe,) Modified on 9/3/2009 (kbledsoe,). (Entered: 09/03/2009)

TRUE COPY I CERTIFY
 ATTEST: 9-3-09
 By:  Clerk
 Deputy Clerk